



United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

March 30, 2016

VIA ECF

The Honorable P. Kevin Castel
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *Am. Civil Liberties Union et al. v. U.S. Dep't of Justice et al.*,
15-cv-9002 (PKC)

Dear Judge Castel:

This Office represents the United States Department of Justice (the “Government”) in the above-referenced FOIA action. I write respectfully to seek leave from the Court to file the attached Amended Declaration of Paul P. Colborn in support of the Government’s motion for summary judgment (the “Amended Declaration”).

It has come to the Government’s attention that there is an error in the originally filed declaration of Paul P. Colborn, and the Government’s memorandum of law: both documents identify the legal advice memorandum prepared by the Department of Justice’s Office of Legal Counsel that is at issue in this litigation as being dated March 30, 2003. *See* Dkt. Enty No. 20 (Decl. of Paul P. Colburn) ¶ 12; Dkt. Entry No. 19 (Mem. Of Law in Supp. of the Dep’t of Justice’s Mot. for Summ. J.) at 3. That date is incorrect, and is the result of a typographical error. The date of the memorandum at issue is May 30, 2003. The attached Amended Declaration corrects that error, and is otherwise the same as the earlier filed declaration. The Government notified the plaintiffs of the error on Monday, March 28, 2016, and the plaintiffs consented to this request. We apologize for this error, and any inconvenience it has caused the Court or the plaintiffs.

We thank the Court for its consideration of this letter.

Respectfully,

PREET BHARARA
United States Attorney for the
Southern District of New York

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